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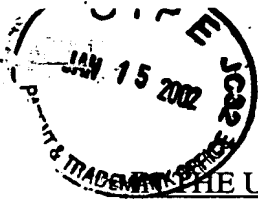
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Attorney Docket No. 4940-1P

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Vivian Pecus, et al. Examiner : To be Assigned
Serial No. : 09/960,636 Art Unit : 2133
Filing Date : September 21, 2001
Title : FORWARD CACHE MANAGEMENT BETWEEN EDGE
NODES IN A SATELLITE BASED CONTENT DELIVERY
SYSTEM

RECEIVED

MAR 18 2002

OFFICE OF PETITIONS

Assistant Commissioner for Patents
Washington, D.C. 20231

**COPY OF PAPERS
ORIGINALLY FILED**

PETITION UNDER 37 CFR 1.47(a)

Sir:

The Commissioner is hereby petitioned to accept the accompanying Declaration submitted under 37 CFR 1.47(a) on behalf of non-signing inventor Laura Ruffin. As stated in the accompanying Declaration of Frederick Yu, Ms. Ruffin has refused to join in the application by virtue of the fact that: (1) Ms. Ruffin has received, at her last known address, a letter, dated November 16, 2001, enclosing a copy of the above identified patent application and a combined declaration and power of attorney document and requesting her to execute and return the combined declaration and power of attorney document; and (2) Ms. Ruffin has not responded to several attempts to contact her thereafter, including a letter, dated December 14, 2001, and sent to her last known address, stating that if Ms. Ruffin did not respond by December 19, 2001 that it would be assumed that she was refusing to join in the above identified patent application.

01/22/2002 VTRUONG1 00000008 09960636

01 FC:122

130.00 OP

BRMFS1 285976v1

It is respectfully submitted that the last known address of the non-signing inventor,
Laura Ruffin, is as follows:

400 Sothel Street West

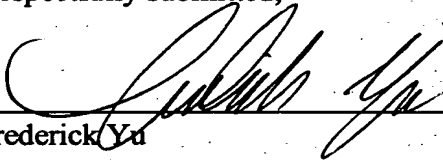
Kill Devil Hills, NC 27948

As shown in the attached Declaration, Ms. Ruffin has received and signed for certified mail sent to
this address.

A check in the amount of \$130.00 is included in satisfaction of the requisite fee
under 37 CFR 1.17(i) for the filing of this Petition and the Declaration of Facts under 37 CFR
1.47(a). Please charge any additional fees, or credit any overpayment, in connection with the filing
of this Petition and Declaration to Deposit Account 02/4270.

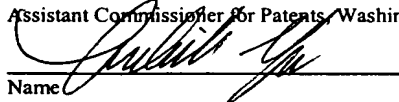
Respectfully submitted,

Dated: December 28, 2001



Frederick Yu
Reg. No. 45,251
BROWN RAYSMAN MILLSTEIN FELDER
& STEINER LLP
900 Third Avenue
New York, New York 10022
(212) 895-2000

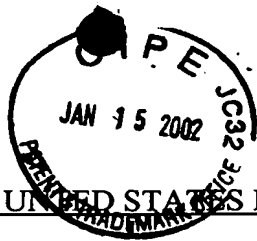
I hereby certify that this paper is being deposited this date with the
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Name

12/28/01

Date



Attorney Docket No. 4940-1P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Vivian Pecus, et al. Examiner : To be Assigned
Serial No. : 09/960,636 Art Unit : 2133
Filing Date : September 21, 2001
Title : FORWARD CACHE MANAGEMENT BETWEEN EDGE
NODES IN A SATELLITE BASED CONTENT DELIVERY
SYSTEM

RECEIVED

MAR 18 2002

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Assistant Commissioner for Patents
Washington, D.C. 20231

**DECLARATION OF FREDERICK YU AND STATEMENT OF
FACTS IN SUPPORT OF FILING ON BEHALF OF NON-SIGNING INVENTOR
UNDER 37 CFR 1.47**

Frederick Yu, being duly warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom, declares that:

1. I am a patent attorney at the law firm of Brown Raysman Millstein Felder & Steiner LLP, counsel for PanAmSat Corporation ("PanAmSat") in the matter of the above captioned application ("the Patent Application") filed September 21, 2001, disclosing and claiming the invention "FORWARD CACHE MANAGEMENT BETWEEN EDGE NODES IN A SATELLITE BASED CONTENT DELIVERY SYSTEM" made by Vivian Pecus and Laura Ruffin. I am familiar with the facts surrounding the preparation and filing of the Application.
2. On information and belief, Ms. Ruffin was employed as a consultant by PanAmSat. By November 16, 2001, Ms. Ruffin's services were no longer being utilized by PanAmSat.

3. On November 16, 2001, I caused to be delivered by first class mail and by certified mail, return receipt requested, a copy of the Patent Application and combined Declaration and Power of Attorney to Ms. Ruffin's last known address requesting that the Declaration and Power of Attorney be executed and returned. A copy of this letter and the certified mail receipt is attached hereto as Exhibit 1.
4. The domestic return receipt was signed in Ms. Ruffin's name on November 27, 2001. A copy of this signed receipt is attached hereto as Exhibit 2.
5. On November 30, 2001, I sent an electronic mail message to Ms. Ruffin at her last known e-mail address of "laura@outer-banks.com". In this electronic mail message, I asked Ms. Ruffin to execute and return to me the combined declaration and power of attorney document I had previously caused to be delivered to her by first class mail and certified mail, return receipt requested. A print out of this electronic mail message is attached hereto as Exhibit 3.
6. On December 12, 2001, at approximately 11:40AM EST, I attempted to call Laura Ruffin at 252-449-4122 to discuss the above identified patent application. An answering machine identified the called number as "449-4122". I left a message stating my name and that I was an attorney representing PanAmSat Corporation in the matter of a patent application and that I wanted to speak with Laura Ruffin regarding this patent application since she had been named as an inventor. I stated that I wanted to speak with her regarding the same matter discussed in my letter to her dated November 16, 2001. I then left my telephone number and asked that Laura Ruffin call me back.
7. On December 14, 2001, I caused to be delivered by first class mail and by certified mail, return receipt requested, to Ms. Ruffin's last known address a second letter. In this


second letter, I stated that I had previously sent to her on November 16, 2001, via first class mail and certified mail return receipt requested, a letter enclosing a copy of the Patent Application and a combined declaration and power of attorney document. I stated that in the November 16, 2001 letter, I had asked her to execute the declaration and power of attorney and return it to me. In the December 14, 2001 letter, I stated that I had received the signed return receipt indicating that she had received the November 16, 2001 letter. I stated that I had tried several other times to contact her, via telephone and e-mail, with regard to the Patent Application. I then requested that she contact me with regard to the Patent Application. I then stated that if she did not respond to me by December 19, 2001 that I would assume that she was refusing to join in the Patent Application. A copy of this letter and the certified mail receipt is attached as Exhibit 4.

8. To this day, I have not received any response from Ms. Ruffin to the November 16, 2001 letter, the November 30, 2001 electronic mail message, the December 12, 2001 telephone message, or the December 14, 2001 letter.

9. The facts set forth in this Declaration are true, and all statements made of my own knowledge are true, and all statements made on information and belief are believed to be true.

Dated: December 28, 2001

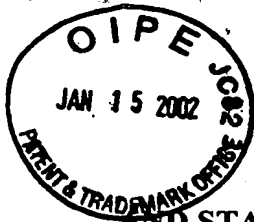
By:


Frederick Yu
Reg. No. 45,251
BROWN RAYSMAN MILLSTEIN FELDER
& STEINER LLP
900 Third Avenue
New York, New York 10022
(212) 895-2000

I hereby certify that this paper is being deposited this date with the
U.S. Postal Service as First Class Mail addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231

Name

Date



Attorney Docket No. 4940-1P

**EXHIBIT 1
TO
DECLARATION OF FREDERICK YU
AND STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NON-SIGNING INVENTOR UNDER 37 CFR 1.47**

**COPY OF PAPERS
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BROWN RAYSMAN

BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP

Frederick Yu
212-895-2006
fyu@brownraysman.com

PRIVILEGED AND CONFIDENTIAL **ATTORNEY CLIENT COMMUNICATION**

November 16, 2001

RECEIVED

MAR 18 2002

OFFICE OF PETITIONS

VIA FIRST CLASS MAIL &
CERTIFIED MAIL NO. 7099 3400 0009 0975 1898
RETURN RECEIPT REQUESTED

Ms. Laura Ruffin
400 Sothel Street West
Kill Devil Hills, NC 27948

Re: Patent Application for
FORWARD CACHE MANAGEMENT BETWEEN EDGE NODES IN A
SATELLITE BASED CONTENT DELIVERY SYSTEM
Serial No.: 09/960,636
Filed: September 21, 2001
Our Ref.: 4940/1P

Dear Ms. Ruffin:

I am a patent attorney representing PanAmSat Corporation ("PanAmSat") in connection with the above identified patent application which relates to PanAmSat's system for delivering multimedia using NOCs, satellites, and edge servers. I am writing to you because you have been identified as an inventor for this patent application.

Enclosed you will find the following:

- a copy of the above identified patent application
- a declaration and power of attorney document
- an assignment document
- a self-addressed, stamped envelope

BRMFS1 279610v1

BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP 900 THIRD AVENUE NEW YORK NY 10022 T 212-895-2000 F 212-895-2900 brownraysman.com

Ms. Laura Ruffin
November 16, 2001
Page 2

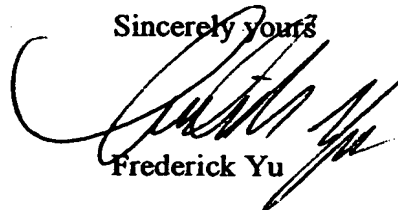
Please review the enclosed copy of the above identified patent application, which we filed with the United States Patent and Trademark Office on September 21, 2001, and let me have your comments, if any, as soon as practicable. Also, please verify that the information entered in the enclosed declaration and power of attorney and assignment documents is correct.

If you have no comments regarding the patent application, please sign and date the enclosed declaration and power of attorney and assignment documents, and send them back to me using the enclosed self-addressed, stamped envelope. Regarding the assignment document, if you have access to a notary public, please have the assignment document notarized.

It may be necessary, from time to time, for me to communicate with you in the future regarding this patent application. For this purpose, please provide me with telephone numbers, fax numbers, and e-mail addresses at which I can reach you.

Thank you very much for your help and time in this matter. If you have comments regarding the patent application or any questions regarding any of the above, please feel free to contact me by telephone at 212-895-2006 or by e-mail at fyu@brownraysman.com. I look forward to hearing from you.

Sincerely yours

A handwritten signature in black ink, appearing to read 'Frederick Yu', written over the typed name.

Frederick Yu

Enclosures

FY:lm

U.S. Postal Service

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Article Sent To:

Fred Yu 4940/P

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Total Postage & Fees

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Name (Please Print Clearly) (to be completed by addressee)

Laura Rutin

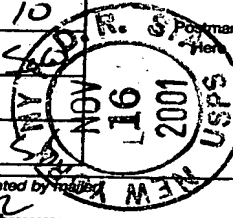
Street, Apt. No., or PO Box No.

400 Somer Street West

City, State, ZIP+4

Bill Revil Hills, NC 27448

7099 3400 0009 0975 1898





Attorney Docket No. 4940-1P

**EXHIBIT 2
TO
DECLARATION OF FREDERICK YU
AND STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NON-SIGNING INVENTOR UNDER 37 CFR 1.47**

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1. Article Addressed to: <u>Laura Ruffin</u> <u>400 Soham Street W.</u> <u>Hill Devil Hill,</u> <u>NC 27418</u>		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label) <u>70 99 3400 0009 0975 1898</u>		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, March 2001		Domestic Return Receipt 102595-01-M-1424	

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BROWN RAYSMAN MILLSTEIN
FELDER & STEINER LLP
900 THIRD AVENUE
NEW YORK, NEW YORK 10022

ATT: Frederick Yu 4940/P





**EXHIBIT 3
TO
DECLARATION OF FREDERICK YU
AND STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NON-SIGNING INVENTOR UNDER 37 CFR 1.47**

**COPY OF PAPERS
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Yu, Frederick

From: Yu, Frederick
Sent: Friday, November 30, 2001 10:22 AM
To: 'laura@outer-banks.com'
Subject: PanAmSat patent application

Ms. Laura Ruffin:

I am a patent attorney representing PanAmSat Corporation ("PanAmSat") in the matter of several patent applications related to PanAmSat's system for delivering multimedia using NOCs, satellites, and edge servers and I am writing to you to request your assistance in completing the filing of one of these patent applications.

PanAmSat provided me with contact information for you so that I could contact you with regard to this patent application. Please verify that the following information is correct and please let me know if there any other phone numbers, e-mail addresses, or mailing addresses I may use to contact you:

Laura Ruffin
400 Sothel Street West
Kill Devil Hills, NC 27948
252-449-4122
laura@outer-banks.com

You have been named as an inventor for an application, entitled "FORWARD CACHE MANAGEMENT BETWEEN EDGE NODES IN A SATELLITE BASED CONTENT DELIVERY SYSTEM", which was filed with the U.S. Patent and Trademark Office on September 21, 2001 and has been assigned serial no. 09/960,636. I sent a copy of this patent application to you at the Kill Devil Hills, NC address above via first class and certified mail. Please let me know if you have received this or not. I would appreciate it if you could review the application as soon as is practicable and provide me with your comments, if any. If you have no comments, then please sign the declaration/power of attorney and assignment documents included with the application and mail the signed documents back to me in the self-addressed, stamped envelope that was provided.

Thank you very much for your help. If you have any comments or questions regarding any of the above, please feel free to contact me at the e-mail address or phone number below.

-Fred

Frederick Yu
Brown Raysman Millstein Felder & Steiner LLP
900 Third Avenue
New York, New York 10022
Direct Dial: (212) 895-2006
Main No. (212) 895-2000
Fax: (212) 895-2900
e-mail: fyu@brownraysman.com



Attorney Docket No. 4940-1P

**EXHIBIT 4
TO
DECLARATION OF FREDERICK YU
AND STATEMENT OF FACTS IN SUPPORT OF FILING
ON BEHALF OF NON-SIGNING INVENTOR UNDER 37 CFR 1.47**

**COPY OF PAPERS
ORIGINALLY FILED**

BROWN RAYSMAN

BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP

Frederick Yu
212-895-2006
fyu@brownraysman.com

PRIVILEGED AND CONFIDENTIAL
ATTORNEY CLIENT COMMUNICATION

December 14, 2001

VIA FIRST CLASS MAIL &
CERTIFIED MAIL NO. 7099 3400 0009 0975 2062
RETURN RECEIPT REQUESTED

Ms. Laura Ruffin
400 Sothel Street West
Kill Devil Hills, NC 27948

Re: Patent Application for
FORWARD CACHE MANAGEMENT BETWEEN EDGE NODES IN A
SATELLITE BASED CONTENT DELIVERY SYSTEM
Serial No.: 09/960,636
Filed: September 21, 2001
Our Ref.: 4940/1P

Dear Ms. Ruffin:

As I stated previously in my letter to you dated November 16, 2001 ("the 11/16 Letter"), I am a patent attorney representing the PanAmSat Corporation ("PanAmSat") in connection with the above identified patent application ("the Patent Application"). As shown above, the Patent Application was filed with the United States Patent and Trademark Office ("the PTO") on September 21, 2001 and assigned serial no. 09/960,636.

The United States Patent laws require that a patent application be filed in the name of the actual inventors for the application. Because you have been named as an inventor for the Patent Application, I have tried to contact you using the following mailing address, telephone, and e-mail address, in order to provide you with information and to discuss the Patent Application:

BRMFS1 284460v1

BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP 900 THIRD AVENUE NEW YORK NY 10022 T 212-895-2000 F 212-895-2900 brownraysman.com

Ms. Laura Ruffin
December 14, 2001
Page 2

Laura Ruffin
400 Sothel Street West
Kill Devil Hills, NC 27948
(252) 449-4122
laura@outer-banks.com

In the 11/16 Letter, which I sent to the address above via first class mail and certified mail return receipt requested, I provided you with a copy of the filed Patent Application, asked you review it, and if the Patent Application were satisfactory, I requested that you sign a declaration in which you (1) acknowledged that you are a joint inventor of the subject matter claimed in the Patent Application, (2) confirmed your personal information, i.e., name, residence, and country of citizenship, (3) acknowledged that you reviewed and understood the contents of the Patent Application, including the claims, (4) and acknowledged your duty of disclosure regarding information material to the patentability of the subject matter claimed in the Patent Application. I also gave you my contact information and asked you to contact me if you had any comments or questions regarding the patent application or any issues related to it.

I received the certified mail return receipt for the 11/16 Letter indicating that the letter was picked-up. The return receipt shows that you signed for the 11/16 Letter on November 27, 2001.

In addition to the 11/16 Letter, I have made other attempts to contact you to discuss the Patent Application. On November 30, 2001, I sent an e-mail message to the e-mail address above stating that you were named as an inventor for the Patent Application and requesting that you contact me so that we could discuss the Patent Application. On December 12, 2001, I attempted to contact you by calling the telephone number above at approximately 11:40AM EST and again at approximately 7:00PM EST. Both times there was no answer. I left a message on the answering machine stating that I was trying to reach Laura Ruffin. I then stated my name, that I was an attorney representing PanAmSat Corporation in connection with a patent application, and that I wanted to speak with Laura Ruffin regarding this patent application since she had been named as an inventor. I stated that I wanted to speak with her regarding the same matter discussed in my letter to her dated November 16, 2001. I then left my telephone number (212-895-2006) and asked that Laura Ruffin call me back.

To date, I have received no response from you to the 11/16 Letter, the November 30, 2001 e-mail or the December 12, 2001 telephone message. I request again that you contact

Ms. Laura Ruffin
December 14, 2001
Page 3

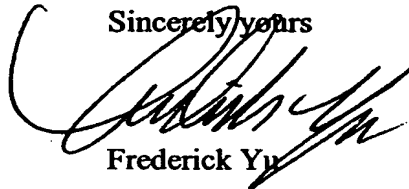
me using the information below, so that I may discuss the Patent Application with you:

Frederick Yu
Brown Raysman Millstein Felder & Steiner LLP
900 Third Avenue
New York, New York 10022
Direct Dial: (212) 895-2006
Main No. (212) 895-2000
Fax: (212) 895-2900
e-mail: fyu@brownraysman.com

If I do not hear from you by **December 19, 2001**, I will assume that you received the 11/16 Letter, the November 30, 2001 e-mail message, the December 12, 2001 telephone message, and this letter but are refusing to join in the Patent Application. I will then proceed with prosecuting the Patent Application at the PTO without your cooperation.

I hope to hear from you soon.

Sincerely yours

A handwritten signature in black ink, appearing to read 'Frederick Yu', written over the typed name.

Frederick Yu

7099 3400 0009 0975 2062

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LAURA RUFFIN
Street, Apt. No., or PO Box No.
400 SOTHEL STREET WEST
City, State, ZIP+4
KILL DEVIL HILLS, NC 27948



BROWN RAYSMAN

BROWN RAYSMAN MILLSTEIN FELDER & STEINER[®]

Commissioner for Patents
Washington, DC 20231

BOX

Missy Paut

900 THIRD AVENUE NEW YORK NY 10022 T 212-895-2000 F 212-895-2900 brownraysman.com

